

# Medworth Energy from Waste Combined Heat and Power Facility



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9 February 2023

## Statement of Common Ground between Medworth CHP Limited and Network Rail

Regulation reference: The Infrastructure  
Planning (Applications: Prescribed Forms  
and Procedure) Regulations 2009  
Regulation 5(2)(q)

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## Revision History

Revision number	Date	Details
0.0	25 October 2022	Draft produced by Medworth CHP Ltd for comment
1.0	21 November 2022	Rev 0.0 updated by Medworth CHP Ltd following comments from Network Rail on 8 November 2022.
2.0	8 February 2023	Version agreed by Medworth CHP Limited and Network Rail Infrastructure Limited for submission to PINS at Procedural Deadline A. To be updated further for Deadline 1.

## Signatories

### Applicant

<b>Signed</b>
<b>On behalf of</b>
<b>Name</b>
<b>Position</b>
<b>Date</b>

### Network Rail

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<b>Date</b>



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## Appendix A: Summary of pre-application consultation with Network Rail



# Glossary

**Table A1 Terms**

Term	Definition
<b>Access Improvements</b>	The works that will be carried out to improve access along New Bridge Lane to the EfW CHP Facility and to include for the reopening of the highway over the disused March to Wisbech Railway. Also, to include a relocated access from Algores Way.
<b>Algores Way Access Improvements</b>	The Access Improvements along Algores Way.
<b>Applicant</b>	The party applying for the Medworth Energy from Waste Combined Heat and Power Facility Development Consent Order, in this case Medworth CHP Ltd, a wholly owned subsidiary of MVV Environment Ltd.
<b>Business and Technical Clearance</b>	An internal Network Rail procedure to consult relevant business units and ascertain whether there are any internal business or technical objections to what is proposed.
<b>CHP Connection</b>	The CHP connection from the EfW CHP Facility including the Steam Pipeline and any Private Wire Connections located within the CHP Connection Corridor.
<b>CHP Connection Corridor</b>	The corridor of land including the disused March to Wisbech Railway and land into the surrounding industrial estate through which the CHP Connection would be located.
<b>Development Consent Order (DCO)</b>	The form of development consent granted by the Secretary of State pursuant to the 2008 Act to authorise a Nationally Significant Infrastructure Project. A DCO can incorporate or remove the need for a range of consents which would otherwise be required for such a development. A DCO can also include rights of compulsory acquisition.
<b>EfW CHP Facility</b>	The facility to which residual waste is delivered to be treated by means of controlled incineration to produce energy.
<b>EfW CHP Facility Site</b>	The land upon which the EfW CHP Facility would be located.
<b>Environmental Impact Assessment (EIA)</b>	A statutory process by which certain planned projects must be assessed before a formal decision to proceed can be made. It involves the collection and consideration of environmental information, which fulfils the assessment requirements of the EIA Regulations, including the publication of an Environmental Statement.
<b>Grid Connection</b>	The underground electrical connection to the National Electricity Transmission Network from the EfW CHP Facility via the Distribution Network Operator's system located within the Grid Connection Corridor and including the Applicant's Walsoken Substation.
<b>Grid Connection Corridor</b>	The corridor of land through which the Grid Connection would be located.



Term	Definition
<b>March to Wisbech Railway</b>	The disused railway between the towns of March and Wisbech. The land within the Order Limits remains an operational railway but the railway track and associated infrastructure require maintenance and upgrading prior to the reintroduction of services.
<b>Nationally Significant Infrastructure Project (NSIP)</b>	Large energy and infrastructure projects, including railways, large wind farms, power stations, reservoirs, harbours, airports and sewage treatment works, as defined in the Planning Act 2008.
<b>New Bridge Lane Access Improvements</b>	The Access Improvements along New Bridge Lane.
<b>Proposed Development</b>	The whole of the development comprising the EfW CHP Facility, CHP Connection, Grid Connection, Water Connections, Access Improvements and Temporary Construction Compound and any other associated development included in Schedule 1 to the DCO.
<b>Protective Provisions</b>	Provide rights to a stakeholder to protect their statutory interests.
<b>Temporary Construction Compound (TCC)</b>	The Temporary Construction Compound required to construct the Proposed Development.
<b>Walsoken District Network Operator (DNO) Substation</b>	The DNOs existing substation located off Broadend Road.
<b>Walsoken Substation</b>	The Applicant's substation required for the Grid Connection.
<b>Water Connections</b>	Proposed foul water connection from a point north of the Algores Way EfW CHP Facility access and a proposed potable water supply from an existing water main east of the A47 to run along an existing orchard/field and New Bridge Lane prior to entering the EfW CHP Facility. Both connections to be provided by the Applicant and/or Anglian Water.

**Table A2 Abbreviations**

Abbreviation	Definition
<b>AsPro</b>	Asset Protection team of Network Rail
<b>CCC</b>	Cambridgeshire County Council
<b>CHP</b>	Combined Heat and Power
<b>CPCA</b>	Cambridgeshire and Peterborough Combined Authority
<b>DCO</b>	Development Consent Order
<b>EfW</b>	Energy from Waste
<b>ExA</b>	Examining Authority
<b>FDC</b>	Fenland District Council
<b>HDD</b>	Horizontal Direction Drilling
<b>HoTs</b>	Heads of Terms



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<b>Abbreviation</b>	<b>Definition</b>
<b>HWIDB</b>	Hundred of Wisbech Internal Drainage Board
<b>LoD</b>	Limits of Deviation
<b>MW</b>	Megawatt
<b>PINS</b>	Planning Inspectorate
<b>RAG</b>	Red, Amber, Green
<b>SoS</b>	Secretary of State
<b>SoCG</b>	Statement of Common Ground
<b>TCC</b>	Temporary Construction Compound



# 1. Introduction

## 1.1 Purpose of Statement of Common Ground

1.1.1 This Statement of Common Ground (SoCG) has been prepared between Medworth CHP Limited ('the Applicant') and Network Rail to set out the areas of agreement, areas under discussion and/or areas of disagreement between the parties in relation to the proposed Development Consent Order (DCO) Application for the Medworth CHP EfW Facility.

1.1.2 Network Rail is a statutory undertaker in relation to the DCO Application. They are responsible for the ownership, maintenance and development of railway infrastructure in England.

1.1.3 The preparation of a SoCG is encouraged by PINS. Advice Note 11: Working with public bodies in the infrastructure planning process, encourages a proactive approach to reaching agreement on the approach and the conclusions of the Environmental Impact Assessment (EIA), and on the approach to consents, licences and authorisations.

1.1.4 This SoCG covers the following topics:

- General;
- Draft DCO; and
- Reopening of the disused March to Wisbech Railway.

1.1.5 It is the intention that this document will facilitate further discussions between the Applicant and Network Rail and will provide the Examining Authority (ExA) with a clear overview of the level of common ground between both parties. This document will be updated throughout the application process.

## 1.2 Approach to Statement of Common Ground

1.2.1 The structure of this SoCG is as follows:

- Section 2: The parties to the SoCG;
- Section 3: Agreement on Common Ground;
- Section 4: Summary.



## 2. The parties to the Statement of Common Ground

### 2.1 The Applicant and Party to the Statement of Common Ground

2.1.1 The parties to this SoCG are:

- Medworth CHP Limited, the Applicant for the Proposed Development; and
- Network Rail.

### 2.2 Role of Network Rail and Consultation

2.2.1 The Order limits of the Proposed Development include the disused March to Wisbech Railway infrastructure which crosses New Bridge Lane and runs along the north-west boundary of the EfW CHP Facility along the CHP Connection Corridor (see **Overview of the Proposed Development** in **Section 3.2**). Network Rail own this disused Railway.

2.2.2 To introduce the Proposed Development and commence the Business and Technical Clearance process, the Applicant first contacted Network Rail in November 2019.

2.2.3 Post statutory consultation, in September 2021 the Applicant and Network Rail established a monthly progress meeting to recommence the Business and Technical Clearance process and commence discussions relating to Protective Provisions.

2.2.4 To date, the Applicant has secured Business Clearance with Network Rail and is currently in discussions about the Technical Clearance.

2.2.5 Draft Heads of Terms are being discussed relating to a potential bridge or other form of crossing in the event that the March to Wisbech Railway is brought back into use in the future.

2.2.6 The Applicant's solicitors are also negotiating Protective Provisions and a Framework Agreement with Network Rail's solicitors.

2.2.7 The Applicant has included Protective Provisions for the benefit of Network Rail in **Part 8 of Schedule 11** to the **Draft DCO (Volume 3.1)**. [APP-013].

2.2.8 A summary of the pre-application consultation with Network Rail is set out in **Appendix A**. A summary of consultation with Network Rail following the submission of the DCO Application on 7 July 2022 is set out in **Table 2.1**.





Table 2.1: Summary of post application submission consultation with Network Rail

ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						<p>General project update</p> <p>Discussion</p> <ul style="list-style-type: none"> <li>The Applicant confirmed the DCO application was submitted to PINS on 7th July and is subject to a 4-week 'acceptance' process.</li> <li>Technical Clearance for the Proposed Development: to address the Technical Clearance objection attendees discussed feedback on the Applicant's head of terms – On review of the HoTs, Network Rail confirmed the technical objection can be removed. The HoTs apply to the CHP Connection and Access Improvements. Network Rail remove the Clearance objection. Providing there are no further objections, Network Rail anticipates the Clearance process to be concluded in 2 to 3 weeks.</li> <li>The Framework Agreement and HoTs legal review meeting scheduled for 01/07/22 with Network Rail and Addleshaw Goddard took place. The Applicant await feedback from Network Rail. On the matter of the projects co-existing action for Network Rail to liaise with the March to Wisbech project sponsor</li> <li>Receive feedback on a possible conditional no-objection to summarise the current position for the DCO – Network Rail confirmed this undertaking cannot be given until the Clearance is passed and the Framework Agreement is agreed.</li> </ul>
236	11/07/2022	Virtual Meeting	Non-Statutory	Monthly meeting	Both	<p>Drafting a Statement of Common Ground – agreed that the Applicant would prepare a draft SoCG to reflect the engagement process to date, areas of agreement and matters to be confirmed/concluded.</p>
						<p>Subject</p> <p>General project update</p>
237	28/07/2022	Virtual Meeting	Non-Statutory	Monthly meeting	Both	<p>Discussion</p>



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						<ul style="list-style-type: none"> <li>• The Applicant confirmed the DCO application is subject to the 4-week 'acceptance' process, due to expire on 04/08/22.</li> <li>• Technical Clearance: in absence of the relevant officers at the meeting the DCO officer checked the Clearance database and confirmed the Business Clearance was approved in March 2022 and the Technical Clearance remains open – Action for Network Rail to provide a status update and check if the holding objection has been removed (as confirmed during the 11/07/22 meeting).</li> <li>• Network Rail raised the question; could the 2 schemes co-exist and that a lift and shift provision would be required. The Applicant confirmed they agreed to a lift and shift provision some time ago and the proposed pipe arrangement has been placed to minimise potential disruption to the railway and station. Action for the Applicant: issue DCO figures of the CHP Connection equipment and proposed alignment.</li> <li>• Action for the Asset Protection officer to check with the AsPro clearance team for an update – If required the Applicant would be happy to arrange a further meeting with the AsPro team.</li> <li>• Receive feedback on a possible conditional no-objection to summarise the current position for the DCO – Network Rail confirmed this undertaking cannot be given until the Clearance is passed and the Framework Agreement is agreed.</li> <li>• Drafting a Statement of Common Ground – agreed that the Applicant would prepare a draft SoCG to reflect the engagement process to date, areas of agreement and matters to be confirmed/concluded.</li> </ul> <p>Post meeting note (issued with the meeting minutes) – the Applicant confirmed the agreement for a 'lift and shift' provision for the CHP Connection in technical note issued to Network Rail in March 2021 and was restated in the Clearance request submitted 10/02/2022, see section 3.4 which states; <i>"The Applicant has prepared the general arrangements of the CHP Connection, locating it along the east boundary of the disused railway line. However, and as previously confirmed with Network Rail, the Applicant agrees to review the final location for the CHP Connection within the Limits of Deviation and implement it on a 'lift and shift' basis."</i></p>



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
238	09/08/2022	Email	Non-Statutory	General	Applicant	Confirming the DCO application had been accepted for Examination and the documents are available on the PINS project website. Concerning the Technical Clearance for the Proposed development and progress with the Framework Agreement and HoTs, the Applicant requested a progress report from Network Rail.
239	02/09/2022	Email	Non-Statutory	Clearance	Applicant	Concerning the Technical Clearance for the Proposed development and progress with the Framework Agreement and HoTs, the Applicant requested a progress report from Network Rail.
240	13/09/2022	Email	Non-Statutory	Clearance	Applicant	Concerning the Technical Clearance for the Proposed development and progress with the Framework Agreement and HoTs, the Applicant requested a progress report from Network Rail.
241	16/09/2022	Email	Non-Statutory	Clearance	Applicant	Concerning the Technical Clearance for the Proposed development and progress with the Framework Agreement and HoTs, the Applicant requested a progress report from Network Rail.
242	26/09/2022	Email	Non-Statutory	Clearance	Applicant	<p>In advance of the monthly progress meeting (29/09/2022), the Applicant circulated a list of actions to report on.</p> <p>Network Rail actions</p> <ol style="list-style-type: none"> <li>1. Technical Clearance update and the removal of the objection</li> <li>2. Progress on the draft Framework Agreement</li> <li>3. Feedback on the draft Heads of Terms</li> </ol> <p>MVV actions</p> <ol style="list-style-type: none"> <li>1. Progress on the draft Statement of Common Ground</li> </ol>
243	29/09/2022	Virtual Meeting	Non-Statutory	Monthly meeting	Both	<p>Subject General project update</p> <p>Update on Network Rail actions:</p> <ol style="list-style-type: none"> <li>1. Technical Clearance update and the removal of the objection – update outstanding</li> </ol>



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						<ol style="list-style-type: none"><li>2. Progress on the draft Framework Agreement – update outstanding</li><li>3. Feedback on the draft Heads of Terms – update outstanding</li></ol> <p>Update on the Applicant's actions:</p> <ol style="list-style-type: none"><li>1. Progress on the draft Statement of Common Ground – the Applicant highlighted the draft SoCG is being prepared, including a correspondence log between parties and will be issued for Network Rail's comment.</li></ol>
[To be continued]						



## 2.3 Summary of Current Position

2.3.1 The summary of the current position will be updated for Deadline 1.

## 2.4 Status of the Statement of Common Ground

2.4.1 The current version of the SoCG (Rev 2) is in draft form. The documents referred to in this version of the SoCG are those submitted with the DCO application and available on the Planning Inspectorate's website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/medworth-energy-from-waste-combined-heat-and-power-facility/?ipcsection=docs>

2.4.2 The examination library references have been adopted in the SoCG for ease:

<https://infrastructure.planninginspectorate.gov.uk/wpcontent/ipc/uploads/projects/EN010110/EN010110-000900-Medworth%20Examination%20Library.pdf>



## 3. Agreement on Common Ground

### 3.1 Overview

3.1.1 The following sections of this SoCG set out the level of agreement between the parties for each relevant topic. In order to easily identify whether a matter is 'agreed' or 'not agreed', a RAG within the 'position' column with red illustrating no agreement, amber that agreement is yet to be reached and the matter is still under discussion, and green, agreement.

3.1.2 The following section of this SoCG summaries the level of agreement between Medworth CHP Ltd and Network Rail on all relevant matters.

### 3.2 General

#### Application elements relating to Network Rail

3.2.1 The elements of the Proposed Development which may affect the interests of Network Rail are detailed in Schedule 1 Part 1 (Authorised Development) of the Draft DCO (**Volume 3.1: Draft DCO**) [APP-013]. The specific works which affect the disused March to Wisbech Railway are:

- Work Nos 3, 3A and 3B (CHP Connection)
- Work No 4A (New Bridge Lane Access Improvements).

3.2.2 Network Rail is identified as a relevant statutory undertaker in the Draft DCO. **Part 8 of Schedule 11** (Protective Provisions) of the **Draft DCO (Volume 3.1)** [APP-013] sets out the provisions for the protection of railway interests.

#### Overview of the Proposed Development

3.2.3 The Proposed Development comprises the following key elements:

- The EfW CHP Facility Site;
- CHP Connection;
- Access Improvements;
- Temporary Construction Compound (TCC);
- Water Connections; and
- Grid Connection (underground cable and Walsoken Substation).

3.2.4 A summary description of each Proposed Development element is provided below. A more detailed description is provided in **Chapter 3: Description of the Proposed Development (Volume 6.2)** [APP-030] of the ES. A list of terms and abbreviations can be found in **Chapter: 1 Introduction, Appendix 1F Terms and Abbreviations (Volume 6.4)** [APP-068].



- **EfW CHP Facility Site:** A site of approximately 5.3ha located south-west of Wisbech, located within the administrative areas of Fenland District Council and Cambridgeshire County Council. The main buildings of the EfW CHP Facility would be located in the area to the north of the Hundred of Wisbech Internal Drainage Board (HWIDB) drain bisecting the site and would house many development elements including the tipping hall, waste bunkers, boiler house, turbine hall, air cooled condenser, air pollution control building, chimneys and administration building. The gatehouse, weighbridges, 132kV switching compound and laydown maintenance area would be located in the southern section of the EfW CHP Facility Site.
- **CHP Connection:** The EfW CHP Facility would be designed to allow the export of steam and electricity from the facility to surrounding business users via dedicated pipelines and private wire cables located along the eastern edge of the disused March to Wisbech railway. Potential end users of the heat and power have been identified along the line of the railway. The pipeline and cables would be located on a raised, steel structure.
- **TCC:** Located adjacent to the EfW CHP Facility Site, the compound would be used to support the construction of the Proposed Development. The compound would be in place for the duration of construction.
- **Access Improvements:** includes access improvements on New Bridge Lane (road widening and site access) and Algores Way (relocation of site access 20m to the south).
- **Water Connections:** A new water main connecting the EfW CHP Facility into the local network will run underground from the EfW CHP Facility Site along New Bridge Lane before crossing underneath the A47 (open cut trenching or horizontal directional drilling (HDD)) to join an existing Anglian Water main. An additional foul sewer connection is required to an existing pumping station operated by Anglian Water located to the north-east of the Algores Way site entrance and into the EfW CHP Facility Site.
- **Grid Connection:** This comprises a 132kV electrical connection using underground cables. The Grid Connection route begins at the 132kV switching compound in the EfW CHP Facility Site and runs underneath New Bridge Lane, before heading north within the verge of the A47 to the Walsoken Substation on Broadend Road. From this point the cable would be connected underground to the Walsoken DNO Substation.

3.2.5

The Proposed Development would be constructed in a manner consistent with that described within **ES Chapter: 3 Description of the Proposed Development (Volume 6.2) [APP-030]**. In summary:

- Work would commence with the establishment of the TCC together with any pre-commencement surveys and works to demolish existing structures and clear the EfW CHP Facility Site. The mobilisation and site set-up phase will last approximately 3-months.
- Access Improvements on New Bridge Lane will commence and take place over a 6-month period.



- Civil works comprising earthworks, piling and later the creation of external hardstanding areas, concrete structures and steelwork framing, and the installation of the Water Connections will take place over a 34-month period.
- Overlapping with the erection of the structures at the EfW CHP Facility Site, mechanical, electrical and plant installation would take place over a period of 24-months followed by a 9-month period of commissioning and testing.
- The construction of the CHP Connection and Grid Connection would follow a similar process of mobilisation, civils and commissioning.

3.2.6 Following the completion of commissioning and testing, the TCC site accessed from Alorges Way would be restored to its former condition.

3.2.1 The Proposed Development is a Nationally Significant Infrastructure Project (NSIP) under Part 3, Section 14 of the Planning Act 2008 by virtue of the fact that the generating station is located in England and has a generating capacity of over 50MW (see section 15(2) of the 2008 Act). It, therefore, requires an application to be submitted to the Secretary of State for a Development Consent Order (DCO). The DCO application has been submitted by Medworth CHP Ltd (the Applicant); a wholly owned subsidiary of MVA Environment Ltd.

**Table 3.1: Agreement Log: General**

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.1.1	The summary of the Proposed Development provide in <b>Section 3.2</b> above reflects Network Rail's understanding of the Proposed Development and its potential impact on Network Rail's apparatus and interests.		Agreed.

### 3.3 Draft DCO

**Table 3.2: Agreement Log: Draft DCO**

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.2.1	The operative powers sought in the Articles in Draft DCO are acceptable to Network Rail provided that they are subject to the Protective Provisions.		Agreed.
3.2.2	The drafting of the requirements set out in <b>Schedule 2</b> of the <b>Draft DCO (Volume3.1)</b> are acceptable to Network Rail		Under discussion.





ID	Statement on which agreement is sought	Position (RAG)	Commentary
	provided that they are subject to the Protective Provisions.		
3.2.3	The wording of <b>Part 8 of Schedule 11</b> of the <b>Draft DCO (Volume3.1)</b> [APP-013] appropriately protects the apparatus and interests of Network Rail and the parties agree that there will be no serious detriment to Network Rail's undertaking <b>Draft DCO (Volume3.1)</b> . [APP-013].		Under discussion.

### 3.4 Reopening of the disused March to Wisbech Railway

- 3.4.1 The reopening of the disused March to Wisbech Railway is a proposal being explored by Network Rail and Cambridgeshire and Peterborough Combined Authority (CPCA) with the support of Cambridgeshire County Council (CCC) and Fenland District Council (FDC). Although there are currently no confirmed and funded plans for the reopening of the disused railway, the layout of the EfW CHP Facility Site has been designed so that from the Applicant's perspective the Proposed Development would not prevent the reopening of the disused March to Wisbech Railway. Network Rail is considering the appropriate mitigation measures that would enable co-existence of the two projects.
- 3.4.2 **Table 3.3** below records the agreement on key matters relating to the potential reopening of the disused March to Wisbech Railway.

**Table 3.3: Agreement Log: Reopening of the disused March to Wisbech Railway**

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.3.1	The reopening of the disused March to Wisbech Railway remains under consideration and it has not yet been determined whether the proposed railway services would consist of a light rail, heavy rail or busway service (as of the date of this Statement).		Agreed.
3.3.2	<u>Access Improvements (Work No 4A)</u> In the event that a light rail or busway service was taken forward, an at-grade crossing		Business Clearance issued by Network Rail via email on 01/04/2022. Discussions are ongoing between the parties regarding the form of agreement required to document the nature and delivery of a new crossing



ID	Statement on which agreement is sought	Position (RAG)	Commentary
	<p>at New Bridge Lane for HGVs accessing the EfW CHP Facility Site would be a feasible option.</p> <p>The siting of the access road to the EfW CHP Facility Site from New Bridge Lane and adjacent landscaping area has been designed to accommodate a road bridge embankment, should the reopening of the March to Wisbech Railway require a vehicle crossing in the form of a bridge. (described in <b>Section 2.3.10 – 2.3.17, ES Chapter 2: Alternatives (Volume 6.2) [APP-029]</b>, and <b>Section 3.4.82 – 3.4.86 ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030]</b>. Works to facilitate a future road bridge embankment do not form part of the Proposed Development.</p>		<p>on New Bridge Lane at the Applicant's cost should the reopening of the disused March to Wisbech Railway proceed.</p> <p>Formal Technical Clearance is awaited but Network Rail does not have an in-principle objection to access to the EfW CHP Facility Site being located on New Bridge Lane.</p>
3.3.3	<p><u>CHP Connection (Work No 3, 3A and 3B)</u></p> <p>The proposed CHP Connection (described in <b>Sections 3.4.93 – 3.4.104 ES Chapter 3 Description of the Development (Volume 6.2) [APP-030]</b>, which runs along the disused March to Wisbech Railway has been appropriately designed so it would not prevent the reopening of the March to Wisbech Railway.</p>		<p>Business Clearance issued by Network Rail via email on 01/04/2022.</p> <p>Formal Technical Clearance is awaited which will determine whether co-existence is feasible and, if so, the mitigation measures required to enable it but Network Rail does not have an in-principle objection to the CHP Connection being located on Network Rail land.</p>
3.3.4	<p>The siting of the access road to the EfW CHP Facility Site from New Bridge Lane and adjacent landscaping area has been designed to accommodate a future railway sidings should the reopening of the March to Wisbech Railway come forward and delivery of waste by railway freight be feasible.</p> <p>Works to facilitate a future railway sidings do not form</p>		<p>High level discussions between the Applicant and Network Rail on the potential use of the railway to deliver waste by freight took place in December 2021.</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
	part of the Proposed Development and have not been discussed in detail or agreed with Network Rail.		

### 3.5 Compulsory acquisition and property matters

3.5.1 The Draft DCO contains powers of compulsory acquisition over land owned by Network Rail. The Applicant intends to include a provision in the Protective Provisions contained in **Part 8 of Schedule 11** to the **Draft DCO (Volume3.1)**. [APP-013] that would prohibit the use of compulsory acquisitions powers in respect of Network Rail's land and interests without the prior consent of Network Rail. However, in order to ensure the deliverability of the Proposed Development, the Applicant can only agree to such a restriction on its compulsory acquisition powers if the parties enter into a voluntary agreement to grant the Applicant the land and rights necessary to deliver the Proposed Development.

**Table 3.4: Agreement Log: Compulsory acquisition**

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.4.1	Network Rail does not object to the inclusion of compulsory acquisition of powers along New Bridge Lane, subject to the Protective Provisions.		Under discussion. The parties are currently negotiating a framework agreement and property agreements relating to the land and rights required for the Proposed Development and any crossing should the March to Wisbech Railway be reopened in the future.
3.4.2	Network Rail does not object to the inclusion of compulsory acquisition of powers for the CHP Connection, subject to the Protective Provisions.		Under discussion. The parties are currently negotiating a framework agreement and property agreements relating to the land and rights required for the Proposed Development.



## 4. Summary

- 4.1.1 This SoCG has outlined the consultation that has taken place between the Applicant and Network Rail during the pre-application and pre-examination phases of the DCO process. The agreement presents the current position reached prior to the commencement of examination.
- 4.1.2 This SoCG will be updated as discussions progress and made available to PINS as requested through the DCO examination phase.



# Appendix A: Summary of pre-application consultation with Network Rail



Table 2.1: Summary of pre-application consultation with Network Rail

ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
000	05/11/2019	Email	Non-Statutory	Introduction	Applicant	Initial request to Network Rail to discuss easement along the disused March to Wisbech railway.
001	02/12/2019	Email	Non-Statutory	Introduction	Network Rail	Acknowledgment of proposals to install cables/pipes across Network Rail land. Attached 2 background information forms for the Applicant to complete and suggested a meeting to discuss the Proposed Development, programme and costs.
002	04/12/2019	Email	Non-Statutory	Introduction	Applicant	Issued the completed forms and additional background information on the Proposed Development to Network Rail. Requested availability for a meeting.
003	13/12/2019	Email	Non-Statutory	Introduction	Applicant	Requesting confirmation that Network Rail had received the email of 04/12/2019.
004	08/01/2020	Email	Non-Statutory	Introduction	Applicant	Requesting confirmation that Network Rail had received the email of 04/12/2019.
005	07/02/2020	Email	Non-Statutory	Introduction	Applicant	Requesting feedback from Network Rail on the information submitted 04/12/2019.
006	30/03/2020	Email	Non-Statutory	Introduction	Network Rail	Confirming the officer had left Network Rail and the project has been re-allocated to another officer who will review and revert in due course.
007	30/03/2020	Email	Non-Statutory	Introduction	Applicant	Confirming receipt of email 30/03/2020 and providing a general project update since completing the forms (issued on 04/12/2019). Highlighting a project to reopen the disused March to Wisbech Railway could coexist with the Proposed Development and sighting an existing example of a pipe in Germany. Requested a conference call to discuss the Proposed Development.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
008	30/03/2020	Email	Non-Statutory	Introduction	Network Rail	Request to re-send the forms (issued 04/12/2019) and not aware of the proposed project to potentially re-open the March to Wisbech Railway.
009	30/03/2020	Email	Non-Statutory	Introduction	Applicant	Reissued the forms (originally issued on 04/12/2019) and a Cambridgeshire and Peterborough Combined Authority committee report about the reopening of the disused March to Wisbech Railway.
010	30/03/2020	Email	Non-Statutory	Introduction	Network Rail	Confirmed receipt of the information and asked if the information was still correct. Would identify the March to Wisbech project lead at Network Rail. Provided a short overview of the Business Clearance process within Network Rail.
011	31/03/2020	Email	Non-Statutory	Introduction	Applicant	Confirmed the information originally issued on 04/12/2019 remained the same and issued further details on safety distances/gauges. Would be happy to discuss with Network Rails technical experts.
012	31/03/2020	Email	Non-Statutory	Introduction	Network Rail	Acknowledgment of email.
013	28/05/2020	Email	Non-Statutory	Introduction	Applicant	Requesting update on the Applicant's enquiry
014	24/07/2020	Email	Non-Statutory	Introduction	Applicant	Requesting update on the Applicant's enquiry and whether or not a new case officer had been allocated to the Applicant's request.
015	24/07/2020	Email	Non-Statutory	Introduction	Network Rail	Provided an update and that the officer was identifying the relevant team within Network Rail to progress discussions.
016	20/08/2020	Email	Non-Statutory	Introduction	Applicant	Requesting update on the Applicant's enquiry.
017	21/08/2020	Email	Non-Statutory	Clearance	Network Rail	Issued a set of Clearance forms for the Applicant to complete.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
018	24/08/2020	Email	Non-Statutory	DCO contact at Network rail	Both	For the purposes of planning application consultations for a Development Consent Orders, email exchange to identify the correct contact. Network Rail confirmed the enquiry should be issued to Asset Protection Anglia.
019	04/09/2020	Email	Non-Statutory	Clearance	Applicant	Acknowledged receipt of email, confirmed the Application would like to go-ahead with the Clearance process and requested guidance on what information was required.
020	08/09/2020	Email	Non-Statutory	Clearance	Applicant	Issued document pack to outline the Proposed Development and information relevant to Network Rails Clearance process.
021	01/10/2020	Email	Non-Statutory	Clearance	Applicant	Requesting confirmation of the payment details and possible escalation if a response is not received.
022	01/10/2020	Email	Non-Statutory	Clearance	Network Rail	Highlighting the Clearance process can commence but raised concerns over the project to re-open the disused March to Wisbech railway and whether Network Rail could provide a certainty to use Network Rail land.
023	01/10/2020	Email	Non-Statutory	Clearance	Applicant	The Applicant confirmed they would like to progress discussions to investigate securing a wayleave/licence/easement to install the steam pipe. Request permission to enter Network Rail's land to undertake surveys.
024	01/10/2020	Email	Non-Statutory	Clearance	Network Rail	Confirming access would be by way of a Licence Agreement. Network Rail commonly enters Agreements; however these tend to contain 'lift and shift' provisions. Providing the Applicant is aware the Clearance process maybe refused, and a 'lift and shift' provision would be required, Network Rail will commence the Clearance process. Follow-up call to be arranged.





ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
025	01/10/2020	Email	Non-Statutory	Clearance	Applicant	Applicant agreed to the principle of a 'lift and shift' provision and requested the Clearance process commenced. Requested access to land for ecology surveys.
026	13/10/2020	Email	Non-Statutory	Clearance	Applicant	Requesting update on Applicant's Clearance enquiry
027	23/10/2020	Email	Non-Statutory	BAPA/Licence	Applicant	Submission to Network Rail of the completed IEQ form requesting access to a disused railway line to undertake non-intrusive surveys.
028	29/10/2020	Email	Non-Statutory	Clearance	Applicant	Forwarding IEQ request (23/10/2020) to officer at Network Rail and requesting payment details.
029	10/11/2020	Email	Non-Statutory	BAPA/Licence	Applicant	Requesting update on Applicant's IEQ enquiry (23/10/2020).
030	24/11/2020	Email	Non-Statutory	Clearance	Network Rail	Confirmed the Clearance process had commenced.
031	02/12/2020	Email	Non-Statutory	BAPA/Licence	Applicant	Requesting update on Applicant's IEQ enquiry (23/10/2020).
032	07/12/2020	Email	Non-Statutory	Clearance	Applicant	Requesting an update and issuing further information to assist the Clearance process (Technical note: Network Rail briefing, December 2020).
033	18/12/2020	Email	Non-Statutory	BAPA/Licence	Applicant	Requesting update on Applicant's IEQ enquiry (23/10/2020).
034	21/12/2020	Email	Non-Statutory	BAPA/Licence	Network Rail	Confirming the Scheme Interface Manager is aware that the Applicant requested an update (on the IEQ enquiry (23/10/2020)). Provided a Network Rail reference:159336/ WAR2255.
035	22/12/2020	Email	Non-Statutory	Clearance	Applicant	Requesting update on Applicant's Clearance enquiry and receipt of further information issued on 07/12/2020.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
036	06/01/2021	Email	Non-Statutory	Clearance	Network Rail	Acknowledged receipt of further information ( 07/12/2020). Provided an update on the Clearance process and that contact with Network Rail's DCO/CPO officer had been made.
037	06/01/2021	Email	Non-Statutory	Clearance	Applicant	Confirming the Applicant has commenced a request for access to the land with the Asset Protection team.
038	13/01/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Whilst the Applicant's ecologist is in the area, requested access to Network Rail's land to undertake surveys. Attached plan of land to be surveyed and risk assessment.
039	13/01/2021	Email	Non-Statutory	Clearance	Network Rail	Confirming the further information (07/12/2020) had been issued to the DCO/CPO surveyor. Asking if the Applicant had heard back from the Asset Protection team.
040	14/01/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Confirming the Asset Protection case number and status. Since the railway line is non-operational, requested access for the surveys and happy to arrange a call to discuss this request.
041	18/01/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Access needs to be arranged by the regional property team; to be contacted.
042	18/01/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Contact details for the regional property team issued to the Applicant.
043	18/01/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Request to the regional property team to access the disused railway land for walkover surveys.
044	18/01/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging email and photograph of land to be surveyed to follow.
045	19/01/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Photograph of land to be surveyed issued to Network Rail.
046	19/01/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Acknowledging email.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
047	19/01/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Acknowledging access request, issuing a property reference number EST 21 0072 and passing request to officer at Network Rail.
048	27/01/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Requesting update on Applicant's access to land (email 18/01/2021).
049	04/02/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Confirming the Clearance process had commenced. Requested an update on the DCO Application and BAPA licence.
050	04/02/2021	Email	Non-Statutory	Clearance	Network Rail	Provided a project update and confirmed no feedback to date on the BAPA licence.
051	04/02/2021	Email	Non-Statutory	Clearance	Network Rail	<p>Confirming there are 2 Clearance processes to be completed:</p> <ol style="list-style-type: none"> <li>1) Business; and</li> <li>2) Technical.</li> </ol> <p>Therefore fee increased. Network Rail's officer to follow-up with their DCO Officer and request for meeting to discuss plans. Requested update on BAPA licence status.</p>
052	04/02/2021	Email	Non-Statutory	Clearance	Applicant	Confirming no response to date on BAPA licence and agreed to meeting.
053	15/02/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Confirmed the officer dealing with property matters for the Proposed Development and seeking to understand if the Applicant had discussed the matter with the Asset Protection team and how long it's required for.
054	15/02/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Confirming the Proposed Development Asset Protection reference numbers and programme for access to survey land.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
055	15/02/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Request for further information to progress the property licence and correspondence with the ASPRO team.
056	15/02/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Providing the further information requested on 15/02/2021.
057	18/02/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Confirming a Clearance process to progress the property licence is required and seeking confirmation that the Applicant agrees to pay the fees. To liaise with colleagues in Asset Protection.
058	18/02/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Confirming that the Applicant had already commenced a Clearance process and therefore requested a meeting with those involved at Network Rail to coordinate matters.
059	18/02/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Agreeing to meeting and offering dates/times.
060	18/02/2021	Email	Non-Statutory	Clearance	Network Rail	Confirming Clearance reference number (CR/47866) and agreeing to a meeting. Dates/times offered.
061	18/02/2021	Email	Non-Statutory	Clearance	Network Rail	Proposing new time for meeting.
062	19/02/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Proposing new time for meeting.
063	19/02/2021	Email	Non-Statutory	Clearance	Applicant	Proposing new time for meeting.
064	19/02/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Agreeing time of meeting.
065	22/02/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Requesting Asset Protection join the meeting.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
066	22/02/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Providing contact details for Asset Protection's officer.
067	22/02/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Confirming the Applicant's Head of Development will join the meeting.
068	24/02/2021	Virtual Meeting	Non-Statutory	General	Applicant	<p>Confirming the summary of surveys issued to Network Rail remains relevant and attached the following background documents:</p> <ul style="list-style-type: none"> <li>• TN Network Rail briefing surveys 120221.pdf – list of surveys required;</li> <li>• network rail ownership plan Wisbech CABS.pdf – identifies the land we would like to survey;</li> <li>• Risk Assessment Form_ Ecology Surveys (003).slsx – site survey risk assessment;</li> <li>• Network Rail Technical Note 071220.pdf – background document introducing the project and how this relates to NR land;</li> <li>• CHP DESIGN FREEZE 240221.pdf – illustrative drawings of the proposed pipeline; and</li> <li>• Medworth - MVV IWQ non-intrusive surveys (email) – our original request to Asset Protect to access land for surveys (mentioned during the call).</li> </ul>
069	25/02/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Confirming the access licence Clearance process had commenced and a draft licence would be issued for comments.
070	26/02/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging Clearance process had commenced.
071	04/03/2021	Email	Non-Statutory	General	Applicant	Issued draft meeting minutes (24/02/2021) for comment by Network Rail. Confirming the Clearance request for the Proposed Development includes the steam pipeline, reinstate a road crossing along New Bridge Lane and reserve land should it be required for a bridge if the March to Wisbech project is developed. The Applicant agreed to a 'lift and shift' approach. The Clearance process for the



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						Proposed Development had commenced and the Clearance Process for the survey to commence.
072	10/03/2021	Email	Non-Statutory	General	Applicant	Requesting an update on the draft licence to be issued to the Applicant.
073	11/03/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Acknowledging request for an update on the draft licence.
074	11/03/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Acknowledging email.
075	11/03/2021	Email	Non-Statutory	General	Network Rail	Issuing agreed minutes from 24/02/2021 meeting and requesting an update on the Clearances processes; request for meeting.
076	11/03/2021	Email	Non-Statutory	General	Network Rail	Proposing date/time for meeting.
077	11/03/2021	Email	Non-Statutory	General	Applicant	Suggesting site visit with Network Rail and Applicant.
078	11/03/2021	Email	Non-Statutory	General	Network Rail	Site visit not necessary on property matters.
079	11/03/2021	Email	Non-Statutory	General	Network Rail	ASPRO team are not required to be involved at this time.
080	12/03/2021	Email	Non-Statutory	Clearance	Network Rail	Confirming that due to the project to reopen the March to Wisbech Railway, the Business Clearance was rejected. Requesting further information on the proposed steam pipeline and happy to arrange a meeting to discuss.
081	12/03/2021	Email	Non-Statutory	Clearance	Network Rail	Confirming further information to be issued by the Applicant and agree to meeting.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
082	12/03/2021	Email	Non-Statutory	Clearance	Network Rail	As requested, further information for the general arrangements for the alignment of the steam pipe were issued to Network Rail.
083	12/03/2021	Email	Non-Statutory	Clearance	Network Rail	Property officer unable to attend meeting.
084	12/03/2021	Email	Non-Statutory	Clearance	Network Rail	Acknowledging email.
085	12/03/2021	Virtual Meeting	Non-Statutory	Clearance	Both	Review Business Clearance rejection and agreed to issue further information to clarify the Applicant's agreed position to proceed on a 'lift and shift' basis.
086	15/03/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Draft property licence issued for comment.
087	19/03/2021	Email	Non-Statutory	Clearance	Applicant	Further information provided to address the Business Clearance rejection - Technical Note: Network Rail - update 01, March 2021. Confirmed the Applicant accept 'lift and shift' and provided details of the preferred steam pipe alignment.
088	22/03/2021	Email	Non-Statutory	Clearance	Applicant	Request for further meeting to discuss additional questions.
089	22/03/2021	Email	Non-Statutory	Clearance	Network Rail	Acknowledging receipt of additional information to inform the Clearance process for the Proposed Development. Confirming the officer at Network Rail is leaving and providing new contact details.
090	01/04/2021	Email	Non-Statutory	Clearance	Applicant	Acknowledging email.
091	01/04/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Issued a mark-up of the draft licence and requested an update on the BAPA Clearance process.



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092	09/04/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Requesting an update on the draft licence Clearance process.
093	14/04/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Confirming the draft licence Clearance process is ongoing.
094	12/05/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Requesting an update on the draft licence Clearance process.
095	12/05/2021	Email	Non-Statutory	Clearance	Applicant	Requesting an update on the Clearance process for the Proposed Development.
096	13/05/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Confirming the draft licence Clearance process is ongoing.
097	13/05/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging email and raising concerns that the request was first made in October 2020.
098	21/05/2021	Email	Non-Statutory	Clearance	Applicant	Requesting an update on the Clearance process for the Proposed Development.
099	21/05/2021	Email	Non-Statutory	Clearance	Applicant	Requesting an update on the Clearance process for the Proposed Development, highlight that the Applicant has been discussing matters with Network Rail of over 1-year.
100	28/05/2021	Email	Non-Statutory	Clearance	Applicant	Since the departure of Network Rail's case officer, The Applicant agreed to forward relevant emails and documents that were previously issued to assist the Clearance process for the Proposed Development.
101	28/05/2021	Email	Non-Statutory	Clearance	Applicant	Reissue of Technical note: Network Rail briefing , December 2020.
102	28/05/2021	Email	Non-Statutory	Clearance	Applicant	Reissue of Technical Note: Network Rail - update 01, March 2021.





ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
103	01/06/2021	Email	Non-Statutory	Clearance	Network Rail	Confirming name of Network Rail's new case officer assigned to the Proposed Development and the Clearance request. Requested an introduction meeting.
104	04/06/2021	Email	Non-Statutory	Clearance	Applicant	Confirming meeting date/time (07/06/2021).
105	07/06/2021	Virtual Meeting	Non-Statutory	Clearance	Both	Provided the new case officer with an introduction to the Proposed Development and the Clearance requests that are outstanding.
106	14/06/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Requesting an update on the property licence Clearance process.
107	23/06/2021	Letter	Statutory	Statutory Consultation	Applicant	Network Rail notification of the Statutory Consultation under Section 42 of the Planning Act.
108	30/06/2021	Email	Statutory	Statutory Consultation	Applicant	Network Rail notification of the Statutory Consultation under Section 42 of the Planning Act.
109	02/07/2021	Email	Non-Statutory	Clearance	Applicant	Requesting a meeting to discuss progress on the Clearance request for the Proposed development.
110	02/07/2021	Email	Non-Statutory	Clearance	Network Rail	Confirmed the name of officer dealing with the Clearance request for the Proposed Development.
111	13/07/2021	Email	Non-Statutory	Clearance	Network Rail	Applicant requesting an update on the Clearance process for the Proposed Development
112	13/07/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Applicant requesting an update on the property licence Clearance process.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
113	14/07/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	All responses received on the property licence Clearance requests and waiting for the Asset Protection team to review and approve the certificate.
114	14/07/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging email and to check if ecologist still need to visit the disused railway corridor.
115	16/07/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Technical Clearance Certificate issued and further request for an Asset Protection Agreement (APA) to be secured.
116	16/07/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Requesting further information for the APA.
117	29/07/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Issuing information to progress the APA.
118	29/07/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Requesting further information for the APA.
119	02/08/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Issuing information to progress the APA.
120	10/08/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Since ecologists are onsite, requesting access to survey the disused railway corridor.
121	10/08/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Confirming the BAPA is still outstanding and request dates for the potential survey.
122	10/08/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Issued further information on the areas for surveying.
123	11/08/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Since the licence is in place, agree to land access whilst the BAPA is secured.
124	11/08/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging email.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
125	12/08/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging property licence Clearance certificate and confirming the Applicant has been liaising with the Asset Protection team to arrange access.
126	12/08/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Requesting further information for the APA.
127	12/08/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Due to delays, clarifying how long the survey licence needs to cover.
128	12/08/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Responding to queries and confirming the property licence Clearance certificate was issued and a separate licence is required and the longest that could be issued is 364 days; any longer and a new licence is required.
129	13/08/2021	Email	Statutory	Statutory Consultation response	Network Rail	<i>"Network Rail is currently working with Cambridgeshire and Peterborough Combined Authority to explore future transport uses for the alignment, the proposed development represents a conflict with this objective. Network Rail therefore objects to the DCO in the absence of formal engagement to date or sufficient assurances that the development does not preclude future transport uses of the alignment. Network Rail also seeks protected provisions within the DCO to sufficiently protect Network Rail's assets".</i>
130	17/08/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Issue of draft BAPA licence and accompanying information for review by the Applicant.
131	27/08/2021	Email	Non-Statutory	Statutory Consultation response	Applicant	In response to Network Rail's Statutory Consultation response (13/08/2021) the Applicant summarised their engagement with Network Rail over the past 18-months, that Clearance processes had formally commenced, and that the Applicant supports the reopening of the disused March to Wisbech Railway. Consequently the Applicant has undertaken best endeavours to engage with Network Rail and therefore urgently requested a meeting with all relevant departments to discuss the Proposed Development and a way forward.
132	01/09/2021	Email	Non-Statutory	General	Network Rail	Network Rail agree to meet and request dates/times.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
133	02/09/2021	Email	Non-Statutory	General	Applicant	Confirming meeting date/time.
134	06/09/2021	Email	Non-Statutory	General	Network Rail	Confirming meeting date/time.
135	06/09/2021	Email	Non-Statutory	General	Applicant	Confirming meeting date/time.
136	07/09/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Seeking confirmation if the signed BAPA had been returned to Network Rail.
137	07/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Applicant will check if BAPA was signed and returned.
138	07/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Clarification of the fees charged under the BAPA.
139	07/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Clarification of the terms of the licence.
140	09/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Clarification of access requirements.
141	09/09/2021	Email	Non-Statutory	General	Applicant	Acknowledging email sent on 13/07/2021 requesting an update on the Clearance process for the Proposed Development
142	09/09/2021	Virtual Meeting	Non-Statutory	Monthly meeting	Both	<p>Meeting to summarise the:</p> <ul style="list-style-type: none"> <li>• Proposed Development;</li> <li>• Clearance processes commenced/completed to date;</li> <li>• Confirm the Applicant's support for the reopening of the disused March to Wisbech Railway;</li> <li>• Re-confirm the Applicant accepts a 'lift and shift' provision;</li> <li>• Agreed to establish a data room with documents issued to date, other supporting information and background documents; and</li> <li>• Agreed to organise a monthly project meeting.</li> </ul>
143	10/09/2021	Email	Non-Statutory	General	Applicant	The Applicant issued a link to the data room which included:



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						<ul style="list-style-type: none"> <li>• Document ref 001 and 002 – Technical notes issued to Network Rail to assist the clearance process;</li> <li>• Document ref 003 – the ‘Alternatives’ chapter from the PEIR. Provides background information for selecting the site and consideration of the reopening of the March to Wisbech rail line, see Section 2.3.10 to 2.3.16 / 2.5 / Figure 2.7;</li> <li>• Document ref 004 and 005 – The Description of Development from the PEIR. Provides background information on the proposed development;</li> <li>• Document ref 006 to 008 – The Traffic and transport assessment from the PEIR. Provides preliminary information on the access options assessed along New Bridge Lane, drawings of the with and without reintroduction of the March to Wisbech rail line and a summary of meeting with Network Rail (04/03/2021). See Section 6.6.160 to 6.6.170, Figures 6.20 6.22 and section 1.4 of the appendix;</li> <li>• Document ref 009 – The Non-Technical Summary of the PEIR;</li> <li>• Document ref 010 – a 3D visualisation animation of the steam pipeline located within the disused rail line;</li> <li>• Document ref 011 and 012 – Network Rail’s representation of the Statutory Consultation and the Applicant’s response; and</li> <li>• Document ref 013 – meeting notes/actions 09/09/2021.</li> </ul>
144	13/09/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Issue of updated licence and request for update on BAPA.
145	22/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Requesting a response to email issued 07/09/2021 (fees charged under the BAPA).
146	22/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging receipt of updated licence.
147	22/09/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Acknowledging email.
148	24/09/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Confirmation of BAPA fees and final licence for signing attached.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
149	24/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging receipt of licence.
150	24/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Request to update licence with correct MVV company name.
151	24/09/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Acknowledging request to update MVV company name.
152	24/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging email.
153	24/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Draft licences updated with new dates and BAPA reference number; issued back to Network Rail.
154	24/09/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Acknowledging email and updated draft licence.
155	27/09/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Updated BAPA issued to Applicant.
156	30/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Signed licence issued to Network Rail.
157	30/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Confirmed the signed licence will be uploaded to the data room folder and shared with Network Rails DCO lead.
158	30/09/2021	Email	Non-Statutory	BAPA/Licence	Applicant	PO issued for licence
159	01/10/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Request for the Applicant's Public Liability insurance certificate.
160	01/10/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Request for a background document to be updated to reflect the correct MVV company name.
161	01/10/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Background document reissued.
162	04/10/2021	Virtual Meeting	Non-Statutory	Monthly meeting	Both	<p>Key discussion points:</p> <ol style="list-style-type: none"> <li>1) The overground steam pipe would connect to adjacent businesses. Applicant requires land for maintenance. Limits if deviation proposed in the supporting documents;</li> <li>2) To allow access into the EfW CHP Facility Site Access Improvements are required include an at grade crossing of the disused railway; and</li> </ol>



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						<p>3) In the event the railway is reopened the Applicant has relocated the EfW CHP Facility Site's entrance east and safeguarded land for a bridge embankment and potential rail siding.</p> <p>Additional files uploaded to the data room included:</p> <ul style="list-style-type: none"> <li>• File ref 014 – Shape file of the PEIR red line boundary;</li> <li>• File ref 015 – latest versions of the property licence and BAPA; and</li> <li>• File ref 016 – POs raised to date.</li> </ul>
163	04/10/2021	Email	Non-Statutory	General	Network Rail	<p>Request for:</p> <ol style="list-style-type: none"> <li>1) details of the Applicant legal team to progress matters; and</li> <li>2) shape files to prepare land plans.</li> </ol> <p>Due to Network Rail's objection, the Proposed Development will have to go through the Clearance process for the Proposed Development.</p>
164	04/10/2021	Email	Non-Statutory	BAPA/Licence	Applicant	The Applicant's Public Liability insurance certificate was issued to Network Rail.
165	04/10/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging email.
166	08/10/2021	Email	Non-Statutory	BAPA/Licence	Network Rail	Survey licence issued to Applicant.
167	08/10/2021	Email	Non-Statutory	BAPA/Licence	Applicant	Acknowledging receipt of survey licence.
168	11/10/2021	Email	Non-Statutory	General	Applicant	Legal contact details for the Applicant issued to Network Rail.
169	11/10/2021	Email	Non-Statutory	General	Applicant	Acknowledging receipt of contact details and highlighting the fees to progress the DCO workstream within Network Rail.
170	20/10/2021	Email	Non-Statutory	General	Applicant	Confirming meeting date/time.
171	25/10/2021	Email	Non-Statutory	General	Applicant	Confirming meeting date/time.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
172	25/10/2021	Email	Non-Statutory	General	Network Rail	Request for lawyers to join next monthly meeting.
173	26/10/2021	Email	Non-Statutory	General	Applicant	Request discussion in advance of meeting on 28/10/2021.
174	26/10/2021	Email	Non-Statutory	General	Applicant	<p>Agreed to 'standdown' the lawyers from the monthly meeting and focus on Network Rail's initial feedback. Additional background files uploaded to the data room:</p> <ul style="list-style-type: none"> <li>• CHP connection pipeline – where we propose to locate the steam pipe; and</li> <li>• Access improvements – along New Bridge Lane and includes a small section across Network Rail land.</li> </ul>
175	28/10/2021	Virtual Meeting	Non-Statutory	General	Both	<p>Request for the Applicant to re-issue the data room link.</p> <p>Network Rail Actions:</p> <ol style="list-style-type: none"> <li>1) Re-commence the business and technical clearance requests and contact the Applicant if any clarifications are required. The clearance process maybe subject to delay, however a 6-week period to secure responses is the target, i.e. before Christmas.</li> <li>2) To check if the generic 'Protective Provisions' could be issued now and in advance of instructing lawyers.</li> <li>3) Check the BAPA for site surveys has been signed by Network Rail.</li> </ol> <p>Applicant/Network Rail Actions:</p> <ol style="list-style-type: none"> <li>1) Subject to the outcome of the clearance process, lawyers to be instructed by both parties.</li> <li>2) Date of next meeting 25th November.</li> </ol>
176	29/10/2021	Email	Non-Statutory	General	Applicant	Issue of meeting minutes/actions (28/10/2021) and link to data room, confirming the following documents/plans are available:





ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						<ul style="list-style-type: none"> <li>• Document ref 001 and 002 – Technical notes issued to Network Rail to assist the clearance process;</li> <li>• Document ref 003 – the ‘Alternatives’ chapter from the PEIR. Provides background information for selecting the site and consideration of the reopening of the March to Wisbech rail line, see Section 2.3.10 to 2.3.16 / 2.5 / Figure 2.7;</li> <li>• Document ref 004 and 005 – The Description of Development from the PEIR. Provides background information on the proposed development;</li> <li>• Document ref 006 to 008 – The Traffic and transport assessment from the PEIR. Provides preliminary information on the access options assessed along New Bridge Lane, drawings of the with and without reintroduction of the March to Wisbech rail line and a summary of meeting with Network Rail (04/03/2021). See Section 6.6.160 to 6.6.170, Figures 6.20 6.22 and section 1.4 of the appendix;</li> <li>• Document ref 009 – The Non-Technical Summary of the PEIR;</li> <li>• Document ref 010 – a 3D visualisation animation of the steam pipeline located within the disused rail line;</li> <li>• Document ref 011 and 012 – Network Rail’s representation of the Statutory Consultation and the Applicant’s response;</li> <li>• Document ref 013 – meeting notes/actions 09/09/2021;</li> <li>• File ref 014 – Shape file of the PEIR red line boundary. Updated with share files of the CHP Corridor and Access Improvements that, in part, encompass Network Rail land;</li> <li>• File ref 015 – latest versions of the property licence and BAPA;</li> <li>• File ref 016 – POs raised to date;</li> <li>• File ref 017 – 9 New Bridge Lane Land Title – highlights a charge to the benefit of British Rails Board; and</li> <li>• Document ref 018 – a recent draft drawing of the entire Proposed Development – include the location and limits of deviation of the proposed CHP pipe along the disused rail</li> </ul>



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						line and Access Improvements along New Bridge Lane and where Network Rail have an interest.
177	29/10/2021	Email	Non-Statutory	General	Applicant	Request for meeting with the March to Wisbech Railway project sponsor at Network Rail.
178	01/11/2021	Email	Non-Statutory	General	Network Rail	Agree to meeting request.
179	01/11/2021	Email	Non-Statutory	General	Applicant	Confirming meeting date/time.
180	01/11/2021	Email	Non-Statutory	General	Network Rail	Confirming meeting date/time.
						Issue of draft land plans for review by the Applicant. Confirmation of the reason for the original Clearance request being rejected.
						<i>"The proposal states that the full width of the railway corridor will be required to accommodate a steam pipe etc. This would appear to preclude reinstatement of the railway alignment for transport use at a later date. Whilst funding and timescales for delivery of reopening this railway are not confirmed, Network Rail is expected to shortly enter into a third party agreement with the local transport authority to progress the project further and it would therefore be inconsistent to approve of disposal or repurposing of this land. As such it is important for the promoter to explore options that would not preclude the future reopening of the railway or at minimum assess and share the impact the proposal would have on any future potential reopening of the alignment for railway use which can then be considered by Network Rail."</i>
181	02/11/2021	Email	Non-Statutory	General	Network Rail	
182	08/11/2021	Virtual Meeting	Non-Statutory	General	Both	General discussion on the status of the disused March to Wisbech Railway reopening, the type of carriages e.g., light rail/heavy rail - both options being considered by the Cambridgeshire and Peterborough Combined Authority.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
183	08/11/2021	Email	Non-Statutory	General	Network Rail	Forwarding the Applicant's request to Network Rail's freight manager to discuss potential deliveries (of waste) by rail.
184	08/11/2021	Email	Non-Statutory	General	Network Rail	Agreed to a meeting to discuss rail freight deliveries.
185	08/11/2021	Email	Non-Statutory	General	Applicant	Confirming meeting date/time.
186	08/11/2021	Email	Non-Statutory	General	Applicant	<p>Comments on the draft land plans and confirmation of the easements required for the CHP Connection and Access Improvements. Additional document uploaded to the data room:</p> <ul style="list-style-type: none"> <li>Document ref 019 – NRTN03a and NRTN03 – to help display the location of the Applicant's proposals in relation to Network Rail land; 1 the CHP Connection and 2) Access Improvements.</li> </ul>
187	09/11/2021	Email	Non-Statutory	General	Network Rail	Confirming meeting date/time.
188	25/11/2021	Virtual Meeting	Non-Statutory	General	Both	<p>Applicant Actions:</p> <ol style="list-style-type: none"> <li>1) Update drawings for the Clearance process for the Proposed Development to identify Network Rail land that requires a permanent easement for 1) CHP Connection and 2) Access Improvement works;</li> <li>2) A further set of drawings to identify the construction areas required for the works – [documents uploaded to dataroom]; and</li> <li>3) Agreed to instruct solicitors to commence drafting or Protective Provisions and Framework Agreement.</li> </ol> <p>Network Rail Actions:</p> <ol style="list-style-type: none"> <li>1) On receipt of the drawings commence the Clearance process; and</li> <li>2) Agreed to instruct solicitors to commence drafting or Protective Provisions and Framework Agreement.</li> </ol>



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189	03/12/2021	Email	Non-Statutory	General	Applicant	Confirming meeting date/time.
190	03/12/2021	Email	Non-Statutory	General	Network Rail	Confirming meeting date/time.
191	09/12/2021	Virtual Meeting	Non-Statutory	Freight	Both	Meeting with Network Rails Business Development Manager – Freight. General discussion about the potential opportunities to include freight deliveries to the EfW CHP Facility as part of the reintroduction of the March to Wisbech Railway, including the types of carriages that could be used.
192	15/12/2021	Email	Non-Statutory	General	Applicant	The Applicant sought confirmation that Network Rail had downloaded the latest set of drawings and that the Clearance process for the Proposed Development had commenced.
193	25/01/2022	Email	Non-Statutory	General	Network Rail	Issued set of SMI Clearance forms for the Applicant to complete and fees to process the requests.
194	27/01/2022	Email	Non-Statutory	General	Network Rail	Apologies, unable to attend monthly meeting.
195	27/01/2022	Email	Non-Statutory	General	Applicant	Acknowledging email.
196	27/01/2021	Virtual Meeting	Non-Statutory	Monthly meeting	Both	Review of the information Network Rail require to accompany a new Clearance request for the Proposed Development.
197	28/01/2021	Email	Non-Statutory	General	Network Rail	Issued set of SMI Clearance forms for the Applicant to complete and requested accompanying briefing note. Fees to process the request confirmed.
198	10/02/2022	Email	Non-Statutory	General	Applicant	Applicant issued Network Rail the completed SMI forms, supporting background information, drawings and purchase order. Requested



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						<p>that Network Rail acknowledge receipt and commence the Clearance process for the Proposed Development. The Clearance pack uploaded to the date room:</p> <ul style="list-style-type: none"> <li>021 Feb 2022 Clearance Pack Feb 2022. File containing further information to support the Clearance process, including application form and accompanying figures.</li> </ul>
199	15/02/2022	Email	Non-Statutory	General	Applicant	Requested confirmation if Network Rail had commenced the Clearance process for the Proposed Development.
200	21/02/2022	Email	Non-Statutory	General	Network Rail	Requesting a further plan of the proposed Access Improvements across the disused railway and asked what changes have been made to the scheme since the original Clearance was rejected.
201	21/02/2022	Email	Non-Statutory	General	Applicant	Suggest a meeting to review the request for further information (21/02/2022).
202	21/02/2022	Email	Non-Statutory	General	Network Rail	Confirming meeting date/time.
						<p>Summary of meeting:</p> <p>The Applicant's discussed the Clearance request pack with the Asset Protection Officer, setting out what was included to assist the Business and Technical Clearance for the Proposed Development.</p> <p>Currently no surveys are planned along the disused Railway. The Applicant to check when the current agreement expires.</p> <p>Applicant Actions from 27/01/22</p> <ul style="list-style-type: none"> <li>Clearance forms to be completed along with set of updated drawings to commence clearance process – completed and issued to Network Rail 10/02/22</li> </ul>
203	24/02/2022	Virtual Meeting	Non-Statutory	Monthly meeting	Both	Network Rail Actions 27/01/22



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						<ul style="list-style-type: none"> <li>On receipt of the forms and drawings, commence the Clearance process – progress update from Network Rail</li> </ul> <p>Action from 30/12/21</p> <ul style="list-style-type: none"> <li>Applicant/Network Rail agreed to instruct solicitors to commence drafting of Protective Provisions and Framework Agreement – Applicant’s solicitors have been asked to commence discussions, progress update from Network Rail?</li> </ul> <p>Further actions – that were to be raised by the Applicant at the 24/02/22 meeting, but in absence of key officers at Network Rail, issued by email:</p> <ul style="list-style-type: none"> <li>Are there any further Network Rail Clearance processes that the Applicant should be aware of?</li> <li>Programme for the Clearance process 1) Business 2) Technical?</li> <li>Since the Applicant intends to submit the DCO Application end of March 2022 and since there has been significant discussion to date; before DCO submission are Network Rail able to provide written confirmation that, currently there is no in principle objection to the Applicant’s Proposed Development and that Network Rail and the Applicant continue to engage with the Clearance process and agree Protective Provisions/easement agreements? This could be prepared as a Statement Of Common Ground, which we are happy to draft.</li> </ul>
204	24/02/2022	Email	Non-Statutory	General	Network Rail	Apologies for missing the monthly meeting.
205	03/03/2022	Email	Non-Statutory	General	Applicant	Requested an update on Network Rail’s action raised at and after the monthly meeting (24/02/2022).
206	15/03/2022	Email	Non-Statutory	Clearance	Applicant	After receiving confirmation from network rail that the Business Clearance process for the Proposed development had commenced on 01/03/2022, with a 2-week response period, the Applicant



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						requested an update. Also highlighted the Applicant was waiting for a response from Network Rail on the actions raised on 24/02/2022.
207	15/03/2022	Email	Non-Statutory	Clearance	Network Rail	Confirmed the Clearance process ongoing.
208	15/03/2022	Email	Non-Statutory	Clearance	Applicant	Checking if Network Rail's Project Sponsor for the March to Wisbech railway project was included in the Business Clearance circulation list.
209	25/03/2022	Email	Non-Statutory	Clearance	Applicant	Requesting an update on the Clearance process.
210	31/03/2022	Virtual Meeting	Non-Statutory	Monthly meeting	Both	Except for the Asset Protection Officer, no one else from Network Rail attended this meeting, therefore meeting was closed.
211	31/03/2022	Email	Non-Statutory	Monthly meeting	Network Rail	Apologised for not being able to join the monthly meeting.
212	31/03/2022	Email	Non-Statutory	Clearance	Network Rail	Forwarded an objection to the Technical Clearance <i>"I object to this clearance. New Bridge Lane level crossing is legally closed, remaining on the ground only as a permissive cycle track at present. No use of this level crossing, such as it is, is acceptable"</i> .
213	31/03/2022	Email	Non-Statutory	Clearance	Applicant	In light of the Technical Clearance objection, requested meeting to review and discuss. Applicant also raised the following; since we have moved to the Technical Clearance, they understand the Business Clearance was approved, Network Rail to confirm.
214	31/03/2022	Email	Non-Statutory	General	Network Rail	Since the Freight officer is leaving Network Rail they confirmed; As far as freight comments go, they do not believe this has an impact on the land administered by the freight property team.
215	01/04/2022	Email	Non-Statutory	Clearance	Network Rail	Confirming meeting date/time to discuss Technical Clearance objection.



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
216	01/04/2022	Email	Non-Statutory	Clearance	Applicant	Confirming meeting date/time and requesting confirmation if Business Clearance is approved.
217	01/04/2022	Email	Non-Statutory	Clearance	Network Rail	Network Rail confirmed Business Clearance for the Proposed Development was approved.
218	01/04/2022	Email	Non-Statutory	Clearance	Applicant	Acknowledged that Business Clearance was approved by Network Rail.
219	01/04/2022	Email	Non-Statutory	Clearance	Network Rail	Confirming meeting date/time to discuss Technical Clearance objection.
220	04/04/2022	Email	Non-Statutory	Clearance	Applicant	Confirming meeting date/time to discuss Technical Clearance objection.
221	04/04/2022	Email	Non-Statutory	Clearance	Network Rail	Confirming meeting date/time to discuss Technical Clearance objection.
						<p>Subject</p> <p>Review the Technical Clearance objection from Steve Day " <i>I object to this clearance. New Bridge Lane level crossing is legally closed, remaining on the ground only as a permissive cycle track at present. No use of this level crossing, such as it is, is acceptable</i>", dated 29/03/2022.</p> <p>Discussion</p> <p>The Applicant provided an overview of the Proposed Development and their engagement with Network Rail, focusing on proposals at New Bridge Lane and the crossing of Network Rail's land. It was noted that the Proposed Development's Business Clearance had been approved and the Applicant and Network Rail has instructed solicitors to prepare Easement/Framework Agreements.</p>
222	05/04/2022	Virtual Meeting	Non-Statutory	Clearance	Both	The status of New Bridge Lane across the rail line was discussed and checked – it is not adopted highway; SD advised that the licence to terminate this was registered in 1981.





ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						<p>An alternative option to route traffic off the A47 via a new roundabout was discussed; The Applicant confirmed National Highways did not support this option.</p> <p>SD confirmed the disused railway is classified as a "live railway" and therefore without protection in favour of Network Rail, the objection remained. A terminable licence would overcome the objection. However, Network Rail would require comfort against the acquisition of public rights over the land. The Applicant would require comfort that the licence would not be terminated during the lifetime of the project if the Applicant undertook to build an over bridge as part of the railway's reinstatement, and to maintain it.</p> <p>In the event the railway line is reopened the following matters would need to be addressed:</p> <ul style="list-style-type: none"> <li>• Who pays for the works and secures land rights – Network Rail's position is that this falls to the Applicant.</li> <li>• Ownership and consequently ongoing maintenance/liability would need to be held by a competent authority, such as, the Highways Authority. To review how this matter could be addressed, The Applicant will investigate the powers provided by DCO process and, separately, an option for the Highways Authority to adopt the proposed bridge.</li> </ul> <p>Subject to addressing the Technical Clearance objection, Network Rail's extant objection to the Proposed Development could be removed and replaced by a 'still in negotiation' position.</p> <p>Actions</p> <ol style="list-style-type: none"> <li>1) The Applicant to prepare a response to the Technical Clearance objection; if required a meeting would be arranged. To enable the Applicant to respond, Network Rail will keep the Technical Clearance open.</li> </ol>



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
223	05/04/2022	Email	Non-Statutory	Clearance	Network Rail	Confirmed the March to Wisbech project sponsor will arrive late to the Technical Clearance objection meeting.
224	05/04/2022	Email	Non-Statutory	Clearance	Network Rail	Forwarding contact details for the Level Crossing Manager at Network Rail.
225	06/04/2022	Email	Non-Statutory	Clearance	Applicant	Issued draft meeting minutes to attendees (see 05/04/2022).
226	27/04/2022	Email	Non-Statutory	General	Network Rail	Apologies for missing the monthly meeting (28/04/2022).
						<p>Subject General project update</p> <p>Discussion</p> <ul style="list-style-type: none"> <li>• The Applicant is in the process of preparing a response to the technical clearance objection.</li> <li>• Network Rail to check if any other comments have been received to the technical clearance and require a response from the Applicant.</li> <li>• In due course Network Rail will instruct their solicitors to prepare the necessary agreements which are likely to include <ul style="list-style-type: none"> <li>i. Framework Agreement</li> <li>ii. Property licences <ul style="list-style-type: none"> <li>a. terminable licence for New bridge Lane access</li> <li>b. Deed of easement for CHP pipes</li> </ul> </li> <li>iii. Asset protection licences</li> </ul> </li> <li>• Concerning the CPCA's project to reopen the railway, options for heavy and light rail are under consideration. If light rail was preferred the crossing options of New Bridge Lane increase i.e., could be a traffic light controlled system rather than a bridge, however, a freight link may not be possible.</li> </ul>
227	28/04/2022	Virtual Meeting	Non-Statutory	Monthly meeting	Both	



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
228	18/05/2022	Email	Non-Statutory	Clearance	Applicant	In preparing a response to the Technical Clearance objection the Applicant requested confirmation on: <ol style="list-style-type: none"> <li>1) Have any other objections/matters been raised by Network Rail on the proposed road crossing of New Bridge Lane?</li> <li>2) Are there any technical clearance objections from Network Rail to the proposed CHP Connection?</li> </ol>
229	26/05/2022	Virtual Meeting	Non-Statutory	Monthly meeting	Both	Meeting to discuss progress on addressing the Technical Clearance objections, however the key participants at Network rail did not attend. It was agreed with attendees to issue the draft option for an easement to Network Rail, requesting a response before the DCO Application was submitted.
230	26/05/2022	Email	Non-Statutory	Clearance	Applicant	The draft option for an easement was issued to Network Rail for review.
231	17/06/2022	Email	Non-Statutory	Clearance	Applicant	Requesting comments on the draft option for an easement from Network Rail.
232	17/06/2022	Email	Non-Statutory	Clearance	Network Rail	March to Wisbech Project Sponsor confirmed they had not reviewed and unsure is the DCO and Clearance leads had.
233	17/06/2022	Email	Non-Statutory	Clearance	Applicant	Highlighted that the DCO Application was due to be submitted and therefore the Applicant were keen to understand Network Rail's position on the draft option for an easement. Requested if a qualified letter of support, especially given the freight opportunities that would result could be issued.
234	17/06/2022	Email	Non-Statutory	Clearance	Network Rail	Acknowledged request and checked is the request could be forward to Network Rail's legal team.
235	17/06/2022	Email	Non-Statutory	Clearance	Applicant	Agreed the email could be issued to Network Rail's legal team.
236	30/06/2022	Virtual Meeting	Non-Statutory	Monthly meeting	Both	Subject General project update



ID	Date	Form of consultation	Statutory/Non-Statutory	Topic	Author	Summary
						<p>Discussion</p> <ul style="list-style-type: none"> <li>• Any feedback on the heads of terms (HoTs)? – Network Rail has an internal meeting 01/07/22 to discuss these with officers and Network Rail’s lawyers.</li> <li>• For the benefit of those on the call, The Applicant summarised the HoTs</li> <li>• The Applicant has requested consideration of a conditional no-objection to summarise the current position for the DCO. – Due to the Clearance objection, Network Rail indicated this was unlikely.</li> <li>• Drafting of the Framework Agreement has not commenced in Network Rail – The Applicant highlighted they previously agreed for this matter to be progressed and at their risk – Network Rail Officers to action with their lawyers.</li> <li>• Concerning the Clearance process and to avoid confusion further confusion, The Applicant has received confirmation from Network Rail that the Business Clearance for the Proposed Development is approved. Therefore, it is the Technical Clearance which is subject to an objection from Network Rail and the HoTs prepared by the Applicant and issued to Network Rail aim to address this.</li> <li>• The Applicant confirmed the DCO Application is due to be submitted w/c 4th July 2022.</li> <li>• Rather than wait until the next scheduled monthly meeting, it was agreed to organise a follow-up meeting on the 11/07/22 at 11a.m.</li> </ul>



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